



Agricultural Mediation Program

Background

The U.S. Department of Agriculture's (USDA) Agricultural Mediation Program helps agricultural producers, their lenders, and other persons directly affected by the actions of USDA resolve disputes. Through mediation, a trained, impartial person (mediator) helps participants review their conflicts, identify options, and agree on solutions.

Mediation is a valuable tool for settling disputes in many different USDA program areas. These include farm loans; farm programs, including conservation programs; wetland determinations; rural water loan programs; grazing on national forest system lands; and pesticides. The program, authorized by the Agricultural Credit Act of 1987, is administered by USDA's Farm Service Agency (FSA).

How Mediation Works

Persons disputing USDA actions that directly affect them are offered the opportunity to request mediation services as part of the Department's informal appeals process. However, parties must request mediation before an appeals hearing is held with USDA's National Appeals Division. USDA customers may accept or decline the offer to participate in mediation. If mediation is requested, FSA mediation officials

suggest steps participants should take to prepare for mediation.

Mediation officials then assign one or more mediators to the case. Participants may accept or eliminate these mediators. Once a mediator is accepted, all potential parties are advised that a mediation process is underway and given a chance to participate.

The mediator schedules a time and place to meet that is convenient to all parties. Mediation length can vary from a few hours to several days, depending on the complexity of issues and number of participants. If an agreement is not reached, the case is closed and all parties remain free to pursue other available administrative appeals or legal actions.

Mediation services can also include counseling and financial analysis to prepare parties for the mediation session. These services are performed by USDA staff. In addition, many states provide mediation training and consultation services for producers, lenders, and USDA agencies.

Mediators

Unlike a judge or arbiter, a mediator has no decision-making authority, but is there to help participants resolve problematic issues and settle disputes. Successful mediation is based on the

cooperation and involvement of all participants.

Mediation Benefits for Lenders and Borrowers

Successful mediation benefits participants in the following ways:

- Mediation may settle disputes within a participant's financial means, providing a low-cost alternative to appeals or to often expensive litigation and bankruptcy.
- The program may reduce stress caused by lengthy litigation. While it can take years for a case to filter through the courts, mediation generally takes only a few meetings to complete.
- The program has a high success rate of 73 percent and is well supported by government officials and community leaders.
- Mediation is confidential; documents are not used for any other legal action against the participants.
- Mediators can also provide referrals for producers and lenders and informally discuss with them issues or concerns.

Mediation Cost to Participants

Some states charge mediation participants a nominal fee. As fee amounts vary from state to state, please check with your local FSA office.

**State Mediation Program
Contacts**

Certain states have a certified mediation program. This means that, at the request of the Governor, FSA has helped the state develop a mediation program authorized or administered by a state government agency or by the Governor. When mediation services are needed in a noncertified state, FSA contracts with a reputable mediator in the general public. A list of certified states and their mediation contacts are provided below. If your state is not listed, please contact your local FSA office.

Alabama

Joe Byrd
Alabama Agricultural Mediation
Program
Alabama Department of Agriculture
and Industries
P.O. Box 3336
Montgomery, AL 36109-0336
Tel (334) 240-7249
Fax (334) 240-7270
E-Mail: promo@agi.state.al.us

Arkansas

Richard S. Johnston
Farm/Creditor Mediation Program
Arkansas Development Finance
Authority
P.O. Box 8023
Little Rock, AR 72203
Tel (501) 682-5895
Fax (501) 682-5893
E-Mail: rjohnston@adfa.state.ar.us

Arizona

Dr. Eric Thor or Natalia Usmanova
Arizona Rural and Finance Training
Program
Morrison School of Agribusiness
and Resource Management
Arizona State University East
7001 E. Williams Road, Bldg. 40
Mesa, AZ 85212
Tel (480) 727-1470
Fax (480) 727-1123
E-Mail: Eric.Thor@asu.edu or
Natalia.Usmanova@asu.edu

California

Lynn A. Morgan, Chief
Marketing Branch
California Dept. of Food and
Agriculture
1220 N St., Room A 247
Sacramento, CA 95814
Tel (916) 654-1245
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Colorado

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Denver, CO, 80211
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Florida

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Florida Agricultural Mediation
Service
University of Florida College of Law
125 Bruton Geer Hall
Levin College of Law
Gainesville, FL 32611
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E-Mail: gerencse@law.ufl.edu

Illinois

Alicia Hill Ruiz
Southern Illinois University School
of Law
104 Lesar Law Building
Carbondale, IL 62901
Tel (618) 453-5181
Fax (618) 453-8727
E-Mail: aruiz@siu.edu

Indiana

Roslyn A. Amor or
Joseph R. Pearson
Indiana Agricultural Mediation
Program
Indiana State Commissioner of
Agriculture
ISTA Center, Suite 414
Indianapolis, IN 46204
Tel (219) 299-9648 or
(317) 232-8770
Fax (219) 299-9666 or
(317) 232-1362
E-Mail: ruralservices@aol.com

Iowa

Michael L. Thompson
Iowa Mediation Services
6200 Aurora Ave., Suite 608W
Urbandale, IA 50322
Tel (515) 331-8081
Fax (515) 331-8085
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Kansas

Forrest Buhler
Kansas Agricultural Mediation
Service
K State Research & Extension
2A Edwards Hall
Manhattan, KS 66506
Tel (785) 532-6958
Fax (785) 532-6532
E-Mail: fbuhler@oznet.ksu.edu

Maryland

Jane Storrs
Agricultural Mediation Program
Maryland State Department of
Agriculture
50 Harry S. Truman Parkway
Annapolis, MD 21401
Tel (410) 841-5770
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E-Mail: storrsjm@mda.state.md

Massachusetts

Israella A. Brill-Cass
ADR Program Coordinator
Massachusetts Office of Dispute
Resolution
One Ashburton Place, Room 501
Boston, MA 02108
Tel (617) 727-2224
Fax (614) 727-6495
E-Mail: ibrillcass@state.ma.us

Michigan

Laura Bassein
Michigan Agricultural Mediation
Program
State Court Administrative Office
309 N. Washington Square
P.O. Box 30048
Lansing, MI 48909
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Minnesota

Rod Hamer
University of Minnesota Extension
Service
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Missouri

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Nebraska

Marian Beethe, Administrator
Tel (402) 471-6890
Joanne Komenda, Coordinator
Tel (402) 471-2341
Nebraska State Department of
Agriculture
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Lincoln, NE 68509-4947
Tel (402) 471-2341 or
(800) 446-4071
Fax (402) 471-3252
E-Mail: marianjb@agr.state.ne.us or
joannek@agr.state.ne.us

New York

New York State Agricultural
Mediation Program
NYS Unified Court System
Mark V. Collins, Assistant
Coordinator
Tom Buckner, Principal Court
Analyst
State Office of Alternative Dispute
Resolution Programs
98 Niver Street
Cohoes, NY 12047
Tel (518) 238-2699 ext. 234
(Collins); ext. 238 (Buckner)
Fax (518) 238-2951
E Mail: MCollins@courts.state.ny.us
or tbuckner@courts.state.ny.us

Nevada

Don Henderson or Paul Iverson
Nevada Agricultural Mediation
Program
Nevada Division of Agriculture
350 Capitol Hill
Reno, NV 89502
Tel (775) 684-5333
Fax (775) 882-5121
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New Jersey

Sherry M. Dudas
New Jersey Agricultural Mediation
Program
State of New Jersey Department of
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New Mexico

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North Dakota

Jeff Knudson
North Dakota Agricultural Mediation
Service
North Dakota Department of
Agriculture
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Bismarck, ND 58505
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Oklahoma

Weldon Schieffer
Oklahoma State University
Wellness Center
2302 W. 7th Street
Stillwater, OK 74074
Tel (800) 248-5465 or
(405) 377-0033
Fax (405) 377-1048
E-Mail: weldon@oamp.net

South Dakota

Julie Kongslien, Director
South Dakota Agricultural
Development
Joe Foss Building, 523 E. Capitol
Pierre, SD 57501-3182
Tel (605) 773-5841
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E-Mail: Julie.kongslien@state.sd.us

Texas

D. Gene Valentini
Texas Rural Mediation Services
South Plains Association of
Governments
Dispute Resolution Center
1323 58th Street, P.O. Box 3730
Lubbock, TX 79452-3730
Tel (806) 762-8721, (806) 858-1809
or (800) 858-1809
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Utah

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Utah Department of Agriculture
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Washington

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Mediator Director
Fulcum Institute
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same)
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Wisconsin

Jo Ann Prust
Wisconsin State Farm Mediation
and Arbitration
Wisconsin Department of
Agriculture, Trade and Consumer
Protection
2811 Agriculture Drive
P.O. Box 8911
Madison, WI 53708
Tel (608) 224-5052
Fax (608) 224-5110 or
(608) 224-5111
E-Mail: jo.prust@datcp.state.wi.us

Wyoming

Lucy Hansen
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National Office Contact

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